



State of Arizona
Department of Education

MEMORANDUM

Tom Horne
Superintendent of
Public Instruction

Date: August 10, 2006
ECSE # 01-07

To: Directors of Special Education
Preschool Coordinators

From: Karen Woodhouse
Deputy Associate Superintendent
Early Childhood Education

Valerie Andrews
Early Childhood Special Education Administrator
Early Childhood Education

RE: Requirements for Arizona Early Intervention Program (AzEIP) Transitions

Both the 2004 Individuals with Disabilities Education Act (IDEA) and Arizona's Transition Intergovernmental Agreement (IGA) between the Arizona Department of Education and the Department of Economic Security require certain procedures and responsibilities. Specifically, Part C, Arizona Early Intervention Program (AzEIP) service providing agencies and Part B, Public Education Agencies (PEAs) must ensure eligible children receive Free and Appropriate Public Education (FAPE) by their third birthday. "FAPE by 3" is one of the 20 indicators that the Arizona Department of Education/Exceptional Student Services (ADE/ESS) office reports to the Office of Special Education Programs (OSEP), with an expectation of 100% compliance. **FAPE by 3 applies to those children that have previously received services from AzEIP and means the IEP is developed prior to the child's 3rd birthday, (the service start date may be different).** In FY 2007, "reasons why an eligible child did not receive FAPE by 3" will need to be tracked by districts as well. It is imperative that all districts establish explicit transition procedures, provide staff training, and use a tracking system in order to improve compliance.

Both the ADE/ESS and Early Childhood Special Education (ECSE) offices measure compliance for transition from Part C to Part B through the monitoring process and review of the Annual Data Collection reported. Better communication with AzEIP service coordinators can improve monitoring outcomes. **Watch for regional training opportunities in the fall between AzEIP Service Coordinators and school districts.**

Please review the following attachments and share with appropriate staff:

1. Transition IGA
2. AzEIP Arizona Transition Planning Forms, which includes "Invitation to Participate" and "Conference Summary" provided by AzEIP Staff.
3. Sample database format to track transition timelines, including reasons for "not in by 3" data.

If not already implemented, the following practices should be implemented immediately:

1. Make copies of the completed Arizona Transition Planning Form II – Conference Summary after the Transition Planning Conference, distribute to all participants, and ensure a copy gets filed in each child’s special education record.
2. Invite the AzEIP service coordinator to the IEP meeting. Include AzEIP Service Coordinator on notices to these meetings and maintain copies for monitoring purposes.
3. For those children previously served* by AzEIP, ensure that the IEP is developed prior to the 3rd birthday, which is considered the provision of FAPE.
4. Maintain documentation for children previously served** by AzEIP who were determined “NOT ELIGIBLE” and whether eligibility was determined by the 3rd birthday since this data will need to be reported in FY ‘07.

*You may receive referrals from AzEIP of children that are closer to preschool services and are referred from AzEIP; however, if they did not receive services from AzEIP they are not considered children transitioning from AzEIP. These children would be treated as a regular referral and the 45 days to screening would apply.

**If at any point the parent stops the transition process and does not move forward with collection of further data/evaluation or does not choose to have an IEP implemented, that child would not be considered a child transitioning from AzEIP and should not be reported in your “in-by-3” data.